

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

WALTER HAYNES
ADC #111110

PLAINTIFF

V. NO: 5:06CV00085 GH

BENJAMIN ULEP *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge H. David Young, and the objections filed. After carefully considering the objections and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's claims against Defendants Ulep and Sagosiny are DISMISSED WITHOUT PREJUDICE, and their names are removed as party Defendants.
2. Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE.
3. All pending motions are DENIED AS MOOT.
4. The Court certifies that an *in forma pauperis* appeal taken from the order and judgment dismissing this action is considered frivolous and not in good faith.

DATED this 23rd day of February, 2007.


George Howard, Jr.
UNITED STATES DISTRICT
JUDGE